

Cooperative Monitoring, Evaluation, and Research Committee

Tuesday, February 23, 2021 // 9:00 am – 4:30 pm

Remotely held using GoToMeeting

Motions January 26, 2021	
Motion	Move/Second (Vote)
Accepted January Meeting Minutes with revisions as discussed during review.	No motion/ no second UP: Mendoza, Bell, Martin, Baldwin, McIntyre, Mobbs, Dieu, Lizon, Kroll, Kay
Mendoza moved to approve the ENREP project management plan. Motion Passed	Second: Kay UP: All
Mendoza moved to approve the PHB Project Charter with revision to “Authorization” paragraph reflecting CMER working directly with the Board. Motion Passed	Second: Dieu UP: Dieu, Bell, Baldwin, Kay, Mendoza, McIntyre, Martin, Mobbs, Kroll Sideways: Lizon
Kay – moves to approve the PHB project management plan as written. Motion Passed	Mobbs – second Up: All
Bell moved to strengthen the problem statement to better make the case way the current rules are not working. Motion Failed to Pass	Second: Lizon Up: Bell Down: Mendoza, Baldwin, McIntyre Sideways: Lizon, Martin, Kay, Dieu, Mobbs Absent: Kroll
Mendoza moved to approve the Eastern Timber Habitat Evaluation Scoping Document as requested by SAGE Motion Failed to Pass	Second: Baldwin Up: Mendoza, Kay, Mobbs, Baldwin Down: McIntyre, Bell Sideways: Martin, Dieu, Lizon Absent: Kroll
McIntyre moved that we modify the scoping document to more clearly articulate the scope of the study in terms of addressing rule	Second: Bell

effectiveness both in terms of effectiveness of current and potential future rules. Motion Passed	Up: Baldwin, McIntyre, Bell, Martin, Lizon, Kay, Dieu, Ash (proxy for Mobbs), Mendoza Absent: Kroll
Kay moves to approve Chapters 5 and 6 of the Hard Rock Extended Report. Motion Passed	Second: Bell Up: Baldwin, Bell, Dieu, Kay, Lizon, Martin, McIntyre, Mendoza, Mobbs Absent: Kroll
Mendoza moved to approve the update memo on CMER review of the SFLO science justification as per Policy's motion to CMER. Motion Passed	Second: Kay Up: Kay, Baldwin, Mendoza, Lizon, Dieu, Mobbs, Kroll, McIntyre Sideways: Martin, Bell

Action Items 1/26/2021	
Action Item	Responsibility
Ehinger and Stewart will come back to CMER with proposed way to address Soft Rock Chapter 5 in the report. Perhaps using the "fish" chapter as an example for how to address this current chapter.	Ehinger and Stewart
Schedule meeting to discuss pathway forward for multiple dispute resolutions.	CMER Co-Chairs and AMPA
Schedule informal meeting for RCS disputants.	AMPA (PM with doodle Poll)
Add Smart Buffer ISPR review to the March CMER agenda	Knoth and Mendoza

MINUTES

Welcome, Introductions, and Old Business

Chris Mendoza, CMER co-chair

Ground rules: State motivations and justification clearly.

January 2020 Meeting Minutes: Approved with changes discussed during review.

*Clarification from M. Hicks after review of Policy meeting notes that, Policy only reduced the Westside from 30 to 25ft. Hicks' recollection about ultimately agreeing to standardize both west and east to 25 no-cut cannot be supported by the Policy meeting notes.

Joe Murray agrees with Mark's recollection of Policy's agreement to standardize buffer width used on both the east and west side.

AMP Positions report: Jacob's Senior Secretary Position has been filled; Mary Colton will begin March 8th. DNR will be re-advertising the Environmental Planner 5 position.

Riparian Type N Effectiveness Project

Miskovic

Discussion: Management Plan

Walk through the document, we'll have more management plans for other projects to review soon.

Ash – language in the PSM is meant to be guidelines, not necessarily to be considered *boiler plate*. Instead of relying on the PSM language, these should be made more personalized to the project. Consider adding Table of Contents to make the document more user friendly.

Mendoza – project management plan was used in the past. He thinks it is really helpful for project tracking once a project has taken off. Helps address the constructive criticism received in the past regarding ability to track potential risks that could jeopardize a project; e.g. funding, site loss.

Mendoza moves to approve the project management plan for approval. Kay second.

UP: Bell, Lizon, Mobbs, Dieu, Baldwin, Martin, Kroll, McIntyre, Kay, Mendoza

Motion passed

Mendoza moved for approval following the steps for document flow contained within the program management document. No objections noted by CMER members.

Potential Habitat Breaks

Munes

Decision: Approve PHB Charter

Charter updated from last version dated April 2019, as developed by the Science Panel. It is unclear if that version was approved by CMER, although meeting notes do not indicate this happened. The document was still tracked and treated as an update.

Mendoza - Correction on “Authorization” section to clarify that the PHB is not directed by Policy but the FPB.

Baldwin – Is it appropriate to change the Purpose since this was directed by the FPB.

Munes – Changes are not substantive, but clarifying in nature.

Hicks – This is uncharted ground to have the Board hand a project directly to CMER. If it changes project, CMER will have to clear it with the Board. Agrees that we need to be careful not to change the goals of the project.

Mendoza – this was discussed at ISAG. What you are seeing is an effort to align the project with the Board’s needs and the work plan.

Hicks – make sure the Board is aware of any changes made.

Walter – none of this is happening in a vacuum. The Board is given regular updates. ISAG was tasked with developing a study design. They chose not to start from scratch, but from where the science panel left off.

Munes – Project management plan has more language on communication plan that can be copied into the Charter to address Mendoza’s request for clarification in the “Authorization” section.

Black – The Board has already seen the Critical Questions as presented in the strategy.

Mendoza moved to approve the PHB Project Charter with revision to the “Authorization” paragraph reflecting CMER working directly with the Board.

Dieu - Second

UP: Dieu, Bell, Baldwin, Kay, Mendoza, McIntyre, Martin, Mobbs, Kroll

Sideways: Lizon

Motion Passed

Discussion: PHB Management Plan

Munes

Munes – a lot of overlap between PHB charter and Project Management Plan. She highlighted where there are differences, including sections that describe when and how changes to the project are communicated to the Board

No comments following review.

Kay – moves to approve the PHB project management plan as written.

Mobbs – second

UP: Bell, Lizon, Mobbs, Dieu, Baldwin, Martin, Kroll, McIntyre, Kay, Mendoza

Motion Passed

Eastside Timber Habitat Evaluation Project (ETHEP)

Miskovic

Decision: Approve ETHEP scoping document

The Scoping documents did not have SAGE consensus prior to arriving at CMER for approval.

McIntyre – raised concerns during review process. This phase will not address the highlighted critical question. Has comments in matrix that have not been adequately addressed.

Baldwin – in past were asked to discuss how projects would address critical questions and the L1. “How else can I answer this?” Baldwin said he needed to push back and noted it would be helpful if someone provides suggested language for clarification. He suggested the need for the study must have been clear since Policy didn’t have any questions about it when they approved moving forward.

Full discussion from 11:12am to 12:44pm

Included some explanation of history of the scoping with regards to not doing a rule effectiveness study because the rule is based on a timber habitat type that has so far been erroneous.

Key points mentioned during this discussion:

Timber habitat types are really elevation bands;

Haven’t evaluated rule effectiveness, but don’t see that as the next step – rather that new or better habitat types are defined;

Reviewers want the purpose better defined to reflect the goal of the study is not effectiveness evaluation but a rule tool leading to eventual effectiveness evaluation.

Reviewer will help SAGE authors with language.

Bell moved to strengthen the problem statement to better make the case way the current rules are not working.

Lizon: Second

Down: Mendoza, Baldwin, McIntyre

Sideways: Lizon, Martin, Kay, Dieu, Mobbs

Up: Bell
Absent: Kroll
Motion Failed

Mendoza moved to approve the Eastern Timber Habitat Evaluation Scoping Document as requested by SAGE

Baldwin – second.

Up: Mendoza, Kay, Mobbs, Baldwin

Down: McIntyre, Bell

Sideways: Martin, Dieu, Lizon

Absent: Kroll

Motion Failed

McIntyre moved that we modify the scoping document to more clearly articulate the scope of the study in terms of addressing rule effectiveness.

Bell asked to clarify “rule” as current or future

Amended motion:

McIntyre moved that we modify the scoping document to more clearly articulate the scope of the study in terms of addressing rule effectiveness both in terms of effectiveness of current and potential future rules.

(Baldwin – will not approve without assurance that language will be provided to help resolve the issue. Response from McIntyre was that she is willing to provide language and had not yet because she had not been asked.)

Bell – second

Mendoza – clarify that this will not turn into an effectiveness study

McIntyre – exactly.

Mendoza – “we” is CMER reviewers. This is out of SAGE.

Up: Baldwin, McIntyre, Bell, Martin, Lizon, Kay, Dieu, Ash (proxy for Mobbs), Mendoza

Absent: Kroll

Motion Passed

Type N Hard Rock Phase 2 Report

Gibbs/McIntyre

Decision: Approve Chapters 5 (Discharge, Turbidity, and Sediment) and 6 (Nitrogen Export)

ISPR has approved these chapters following revision

Lizon commented on possible patterns of nitrogen export relative to proportion of harvest, but recognized it may be out of the scope of the chapter.

Mendoza replied that it could be captured in the Six Questions document, as part of “what the study tells us and what it doesn’t tell us”.

Gibb’s responded to comments from both Harry and Patrick by suggesting that their concerns could be captured in the Six Questions document. She also stated that the Six Questions document would have five of the same answers for all of the chapters, but “what the study is/isn’t” would be split out by chapter. Knoth and Gibbs confirm this Six Questions approach.

Martin: ISPR reviewer comment tried to understand why the 100% sites had a reduced base flow, unlike other sites. Discussion talks about evapotranspiration and then moves on to suggest the riparian stand was light limited and now it isn’t. The technical reviewer says “do the math” the matrix indicates it was addressed. He does not see where or how this comment was addressed in the discussion with corroboration. There is a contradiction is what was written and what was approved.

Stewart: We did do the math and the reviewer used incorrect literature in the introduction to support decrease in discharge. Didn’t think it was necessary to add to discussion because it is in the results.

Some discussion about this followed. Issue resolved.

Kay moves to approve Chapters 5 and 6 of the Hard Rock Extended Report.

Bell – second

Up: Mendoza, Baldwin, Mobbs, Bell, Lizon, Dieu, Martin, Kay, McIntyre

Absent: Kroll

Motion Passed

CMER Science Conference

Mendoza/Hicks

Mendoza concurs with the AMPA that it may be advisable to defer the CMER Science conference. Describes timing (preparation in the fall for spring conference) and workload issues for PIs.

Discussion and decision: Approve deferral of CMER Science Conference to next biennium

Baldwin moved to defer the CMER science conference until next biennium.

Martin Second

Up: Martin, McIntyre, Dieu, Kay, Mendoza, Bell, Mobbs, Kroll, Baldwin

Sideways: Lizon

Smart Buffer

Munes/Martin/Hicks

Discussion: Provide and update on unresolved reviewer comments and progress toward consensus. Discuss feedback from TFW Policy and ISPR review.

In 4th round of review/response. Another meeting is scheduled.

Bell – suggested voting on whether the Smart Buffer study design should go to ISPR.

Mendoza – stated that it is not listed as a decision on the agenda and he is not ready.

February RSAG discussion led to sending a recommendation to CMER that the Smart Buffer study design go to ISPR as an “open review.”

Mendoza rejected the RSAG recommendation stating that it is a CMER decision, adding that SAGs should not waste their time with recommendations to CMER.

Murray stated that SAGs are advisory groups and are not restricted from providing recommendations to CMER.

Mendoza stated that he did not attend RSAG due to schedule conflict and that had he attended, he would not have allowed the recommendation to go forward.

Knoth stated that RSAG demonstrated collaborative efforts and their time spent discussing recommendations to CMER is not wasted but that it is how subject matter experts give voice, cooperatively, to CMER.

Bell asked for the ISPR decision to be on the March CMER agenda. Mendoza confirmed it would be added.

Mendoza stated that open ISPRs have not been used often in the past.

Knoth stated that open ISPR during study design going forward may alleviate problems with study quality and conflict over analysis (not results*) in the future and that it is encouraged in the PSM.

Type N Soft Rock

Ehinger/Stewart

Update: Recommendation to remove Chapter 5 – Discharge and Sediment from Phase 1 Final Report

Ehinger and Stewart described factors that led to decision to remove Chapter 5, including delayed instrumentation and dry conditions during the pre-harvest period.

Mendoza suggested that using the “fish” chapter (that Jason authored) as an example for how to address this current chapter.

Martin suggested Chapter 5 details should be included somewhere in the Final Report (and not separate) so it doesn’t get lost.

Black suggested putting information in Chapter 1.

Ehinger confirmed that everyone’s preference would be to include the material in the report somewhere, but would need to think about what format it would be.

Ehinger and Stewart will come back to CMER with proposed way to address this (Chapter 5 Soft Rock) in the report. No one opposed the action item.

SFL Template and Dispute Resolution

Knoth/Bell

Discussion: Provide and update on memo to Policy and H. Bell’s dispute resolution proposal regarding CMERs completion of the 6 questions related to science justification in the SLF template proposal. Knoth - During their most recent meeting, the workgroup agreed to modify the memo to a one-page, bulleted update to Policy.

The two CMER co-chairs and AMPA have not yet met to discuss the dispute resolution steps. Need to schedule meeting for path forward. Nothing more to report until then.

Mendoza moved to approve the update memo on CMER review of the SFL science justification as per Policy’s motion to CMER.

Kay second.

Up: Kay, Baldwin, Mendoza, Lizon, Dieu, Mobbs, Kroll, McIntyre

Sideways: Martin, Bell

eDNA Dispute Resolution

Munes/Mendoza

Update: Provide and update and outcome of informal DR meeting on Feb 17th.

First meeting resulted in a task assignment and timeline. Jason will be developing a Six Questions document and include lessons-learned from Kroll, Martin, Mendoza, and others.

Black – look at finalized reports to see how cover letters and disclaimers have been bound to past reports. This might help provide context for how the eDNA work will be reported.

Riparian Characteristics and Shade

Hicks/Mendoza

Update: General update on RCS disputes

Todd Baldwin voted “no” for approving the RCS forward. He did not attend the February RSAG as expected; a conflict arose.

RSAG discussed having a special meeting to address Todd’s concerns with RCS. That meeting is in the process of being scheduled.

Action item is to schedule the first, informal meeting with disputants regarding the other disputes: Lizon calling foul created by Doug Martin bringing two SFL template prescriptions he developed for the landowners forward at the end of the SAG process; Bell seeking technical and economic review of RCS add-ons before being willing to vote UP on original RCS study. Hicks noted that the remedy for Patrick’s dispute would be not to allow the additional prescriptions to move forward and delay the main study that was originally agreed to in RSAG (not wanting to reward the process and code of conduct fouls he sees), but that the remedy for Harry dispute is to delay the original study in order to evaluate the pros, cons, and costs of those same additional prescriptions. Hicks noted this makes this more of a challenge to resolve, and is advising both of these disputes be dealt with in the same process.

CMER access to ISPR review and DNR data

Hicks

Everyone has access to ISPR reviews and documents, they are public documents. Following a DNR training it was noted that anything not part of our normal business needs to be tracked with time logged. Hicks mentioned that when a CMER member wants documents that are not part of normal business and current deliberations, he can release them but will need to send a copy to the DNR Public Records office and track the time taken to respond to the request.

Discussion around how it can be obtained with less time spent.

Hicks indicated that it is best to be very clear about what your request is; there are a lot of documents associated with each project. Therefore, specificity is requested.

CMER/SAG Updates:

Mendoza

Edits provided by Chris Mendoza and Joe Murray regarding the RCS add-on treatments and Smart Buffer updates

Update from TFW Policy and FP Board

Hicks

Policy did discuss the Smart Buffer pilot project, they did not vote on the issue of what direction to provide regarding whether to send the report to ISPR since this is CMER's decision, nor were they willing to attempt to agree in advance about what they intend to do with the study results. CMER work plan was approved.

More detail can be found in the Policy meeting minutes.

The FPB met on the 10th of February. The SFLO trends and ownership report was presented to the Board.

The State Auditors provided their results to the Board.

ENREP pilot rule was approved to allow for harvest at the one site which would not conform to the Np rules in order to test the effect of clear cutting along a section of the Np stream that goes seasonally dry.

See FPB meeting minutes for more detail.

Public Comment

No comment at this time.

List of Attendees

Attendees	Representing
§Baldwin, Todd	Kalispel Tribe of Indians
§Bell, Harry	Washington Farm Forestry Association
Black, Jenelle	CMER Staff
Charles Chesney	Member of general public
§Dieu, Julie	Rayonier, Washington Forest Protection Association
Ehinger, William	Department of Ecology
Gibbs, Heather	AMP Project Manager
Hicks, Mark	Adaptive Management Program Administrator
Heimburg, John	Washington Department of Fish and Wildlife
Hooks, Doug	Washington Forest Protection Association
Hough-Snee, Nate	Four Peaks Environmental Science & Data Solutions
Knoth, Jenny	Washington Farm Forestry Association/ WSAC, CMER co-chair
§Kroll, A.J.	Weyerhaeuser, Washington Forest Protection Association
§Lizon, Patrick	Department of Ecology
§Martin, Doug	Washington Forest Protection Association
§McIntyre, Aimee	Washington Department of Fish and Wildlife
§Mendoza, Chris	Conservation Caucus – CMER Co-Chair

Miskovic, Teresa	AMP Project Manager
§Mobbs, Mark	Quinault Tribe
Munes, Eszter	AMP Project Manager
Murray, Joe	Washington Forest Protection Association
§Debbie Kay	Northwest Indian Fish Commission
Roorbach, Ash	Northwest Indian Fish Commission
Thomas, Cody	Spokane Tribe
Stewart, Greg	CMER Staff,
Volke, Malia	CMER Staff
Walter, Jason	Weyerhaeuser